

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kyle Yesland on 11/04/08.

The application has been amended as follows:

#### **IN THE CLAIMS**

Claims 79 and 97 are deleted.

### REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: Claims 20,31,33,34,37,41,46,52-54,59,62-78,80-96 and 98 are free of prior art of record. The prior art does not teach or suggest a transgenic chicken whose genome contains a transgene introduced by a replication-deficient retroviral vector, which lays an egg containing an exogenous protein encoded by the transgene, wherein the exogenous protein is produced in the oviduct of the transgenic chicken at detectable level.

The art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Harvey et al, Validating the hen as a bioreactor for the production of exogenous proteins in egg white. POULT SCI. 82:927-930, 2003.
- Ivarie, Avian transgenesis: progress towards the promise. TRENDS in Biotech. 21(1):14-19, 2003.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumesh Kaushal whose telephone number is 571-272-0769. The examiner can normally be reached on Mon-Fri. from 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Woitach can be reached on 571-272-0739. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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